

EXHIBIT “A”

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MARK A. GOODMAN, ESQ.
Nevada State Bar No. 10357
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Attorney for Defendants/Counterclaimants
DAN RASURE
WIND PUMP POWER, LLC
SUNFLOWER WIND, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

NEVADA CONTROLS, LLC, a Nevada
Limited Liability Company,

Plaintiff,

v.

WIND PUMP POWER, LLC, a Kansas
Limited Liability Company, SUNFLOWER
WIND, LLC, a Kansas Limited Liability
Company; DAN RASURE, an individual,

Defendants.

WIND PUMP POWER, LLC, a Kansas
Limited Liability Company,

Counterclaimant,

v.

NEVADA CONTROLS, LLC, a Nevada
Limited Liability Company,

Counterdefendant.

STATE OF NEVADA

)
) ss.

) Case No. 3-12-cv-00068-HDM-VPC

) **DECLARATION OF MARK A.
GOODMAN, ESQ.**

) **Judge Howard D. McKibben**

) **[LOCAL RULE IA 10-6]**

1 COUNTY OF WASHOE)

2 MARK A. GOODMAN, ESQ., being first duly sworn, deposes and says:

3 1. I am an attorney duly licensed to practice law before all of the courts in the
4 State of Nevada.

5 2. I am the attorney of record for Defendant, SUNFLOWER WIND, LLC, in
6 the above-entitled matter.

7 3. I make this Affidavit in support of my Motion to Withdraw.

8 4. On or about April 5, 2013, I received the letter from David D. Swenson,
9 Esq., of Swenson, Brewer & Long, Chartered, a true and correct copy of which is attached
10 hereto as **Exhibit "B"** and made a part hereof.

11 5. In his letter, Mr. Swenson indicates "the only link that Sunflower Wind has
12 to the Nevada Controls' action is that Wind Pump Power is referred to as aka Sunflower
13 Wind, LLC in the Mutual Non-Disclosure and Confidentiality Agreement between the
14 parties"; that "there are at least twenty-five (25) shareholders of Sunflower Wind"; and that
15 "Sunflower Wind's involvement in this matter is tenuous at best, and it should have been
16 dismissed form the action some time ago."

17 6. Mr. Swenson attaches to his letter an excerpt of a Deposition, taken
18 February 11-12, 2013, in a shareholder derivate action entitled "Cynthia Strnad and Jill
19 Strnad, Plaintiffs, vs. Sunflower Wind, LLC, Daniel Rasure and 3405 Building, LLC,
20 Defendants," in the District Court of Reno County, Kansas, Case No. 2012-CV-202.

21 7. I now believe that there exists a conflict of interest in the present case
22 between my representation of Mr. Rasure and my representation of Sunflower Wind, Mr.
23 Rasure may need to share confidential information with me that could bear on the
24 shareholder derivative action against Mr. Rasure and Cynthia and Jill Strnad.

1 8. No trial date has been assigned to this dispute, and no delay will result to
2 any party as a result of this withdrawal of counsel.

3 9. In the event this Motion is granted, the address at which Defendant,
4 SUNFLOWER WIND, LLC, may be served with notice of all further proceedings in this
5 case is, as follows:
6

7 Sunflower Wind, LLC
8 c/o David D. Swenson, Esq.
9 Swenson, Brewer & Long, Chartered
10 613 Washington Street
11 Post Office Box 549
12 Concordia, Kansas 66901-0549

13 I declare under penalty of perjury under the law of the State of Nevada that the
14 foregoing is true and correct.

15 DATED: Friday, May 03, 2013.

16 /s/ Mark A. Goodman

17 _____
18 MARK A. GOODMAN, ESQ.
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